



**US Army Corps  
of Engineers**  
Portland District

# **PUBLIC NOTICE**

## **for Permit Application**

**Issue Date:** April 2, 2004

**Expiration Date:** May 1, 2004

**Corps of Engineers Action ID:** 200400170

**20-Day Notice**

**Oregon Department of State Lands Number:** 31921-GA

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

**Comments:** Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and reach this office no later than the above expiration date of this Public Notice to become part of the record and considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
CENWP-OP-GE (Ms. Merina E. Christoffersen)  
1600 Executive Parkway, Suite 210  
Eugene, Oregon 97401-2156

**Applicant:** Oregon Department of Fish and Wildlife (ODFW)

**Location:** The project is located on the River Ranch, Summer Lake Wildlife Area on the Ana River. The site is 2.5 miles southeast of the town of Summer Lake, Lake County, Oregon.

**Project Description:** ODFW is proposing to enhance wetlands on 1,000 acres of floodplain along the Ana River through the replacement of water control structures and culverts, relocation of irrigation ditches, dike construction, and the excavation of shallow borrow pits. The project would involve removal of 31,410 cubic yards of native soil and the discharge of 23,617 cubic yards of fill to construct the new infrastructure. Tables showing the removal and fill volumes for each of the proposed worksites are attached.

Prior to its purchase by ODFW in 1971, most of the River Ranch was grazed and hayed. According to ODFW most of the site is within the floodplain of the Ana River and within the meander line of Summer Lake. The construction of Ana Reservoir and diversion of water from the river upstream of the project has modified the historic hydrology. ODFW typically floods the site in early spring, and it is allowed to dry out and irrigated briefly three to four weeks during mid summer. In late summer, the site is mown then flooded.

Five (5) major water control structures in Ana River would be replaced, and 3,560 linear feet of water delivery ditches would be repaired and improved to facilitate the movement of water to the wetlands.

Five (5) berms totaling 9,227 linear feet would be repaired, improved, and constructed with sinuosity and very flat side slopes at 6:1 to improve water distribution across the project area and provide greater edge habitat. The berms will block existing drainage ditches in several locations to maintain wetland hydrology more efficiently.

Nine (9) water control structures would be installed in the berms to allow ODFW to regulate water dispersal and depths. The proposed water control structures are flashboard risers. Eight borrow areas for berm materials are proposed within areas of dense tall emergent vegetation. Excavation within these areas would be broad and shallow, no more than a foot deep.

All work would be done when water levels were low to dry, and water would be diverted away from the worksite when possible to reduce increases in turbidity. Temporary bypass channels may be excavated to divert the Ana River away from the project site, or ODFW may divert the river flow via a water control structure approximately 0.7 mile upstream from the project site. The temporary bypass channels if constructed would be filled and restored to natural conditions. All exposed soils and disturbed areas would be seeded with native grass species once construction was complete to reduce impacts due to erosion.

**Purpose:** The purpose of this project is to provide water bird habitat. The project would help ensure adequate hydrology is maintained from March through June or July, and again from October through January to meet ODFW's management goals.

**Drawings:** Twenty-two (22) drawings and/or tables are attached.

**Additional Information:** Additional information may be obtained from Ms. Merina Christoffersen, Project Manager, U.S. Army Corps of Engineers at (541) 465-6882, or email at [merina.e.christoffersen@nwp01.usace.army.mil](mailto:merina.e.christoffersen@nwp01.usace.army.mil)

**Authority:** This permit will be issued or denied under the following:

Sections 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

**Section 404(b)(1) Evaluation:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

**Public Hearing:** Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

**Endangered Species:** Preliminary determinations indicate that the described activity will not affect endangered species or their critical habitat designated as endangered or threatened under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

**Cultural Resources:** The described activity is located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. A Natural Resource Conservation Service (NRCS) archeologist conducted a cultural resource survey in late summer of 2003. Cultural resources were found and mapped. The project has been modified to exclude activities near those sites. An onsite cultural resource technician will be hired by NRCS to monitor construction activity. This notice has been provided to the State Historic Preservation Office.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

**PUBLIC NOTICE**  
**Oregon Department of Environmental Quality (DEQ)**  
**Water Quality 401 Certification**

**Corps of Engineers Action ID Number:** 200400170  
**Oregon Department of State Lands Number:** 31921-GA

**Notice Issued:** April 2, 2004  
**Written Comments Due:** May 1, 2004

**WHO IS THE APPLICANT:** Oregon Department of Fish and Wildlife (ODFW)

**LOCATION OF CERTIFICATION ACTIVITY:** See attached U.S. Army Corps of Engineers Public Notice.

**WHAT IS PROPOSED:** See attached U.S. Army Corps of Engineers Public Notice on the proposed project.

**NEED FOR CERTIFICATION:** Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

**DESCRIPTION OF DISCHARGES:** See attached U.S. Army Corps of Engineers Public Notice on the proposed project.

**WHERE TO FIND DOCUMENTS:** Documents and related material are available for examination and copying at Oregon Department of Environmental Quality (DEQ), Water Quality Division, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

**PUBLIC PARTICIPATION:**

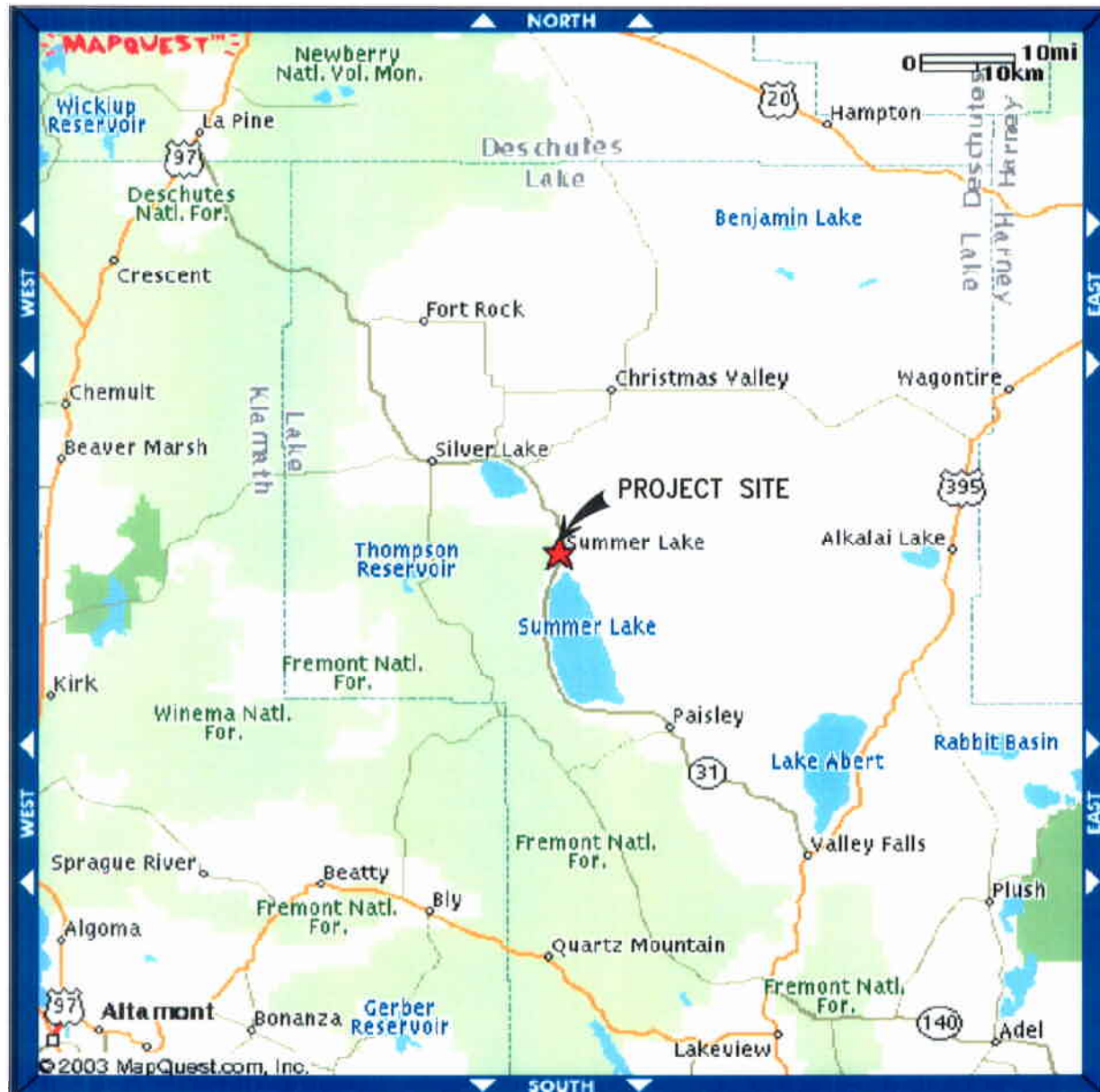
**Public Hearing:** Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

**Written comments:**

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on **May 1, 2004**. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390 or faxed to (503) 229-6124. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x), or plain text format to [melville.tom@deq.state.or.us](mailto:melville.tom@deq.state.or.us). Otherwise due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

**WHAT HAPPENS NEXT:** DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise if you wish to receive notification, please call or write DEQ at the above address.

**ACCESSIBILITY INFORMATION:** This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at (800) 452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.



VICINITY MAP



**DUCKS  
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PacNW Field Office (360)885-2011

PROJECT NO. US-OR-61-1

**SUMMER LAKE  
RESTORATION**

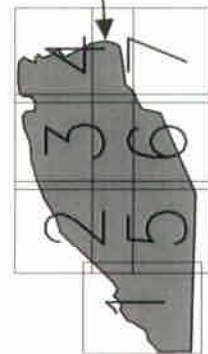
DESIGNED BY: JTS

DRAWN BY: DMC

SURVEYED BY: DU

CHECKED BY:





SHEET INDEX



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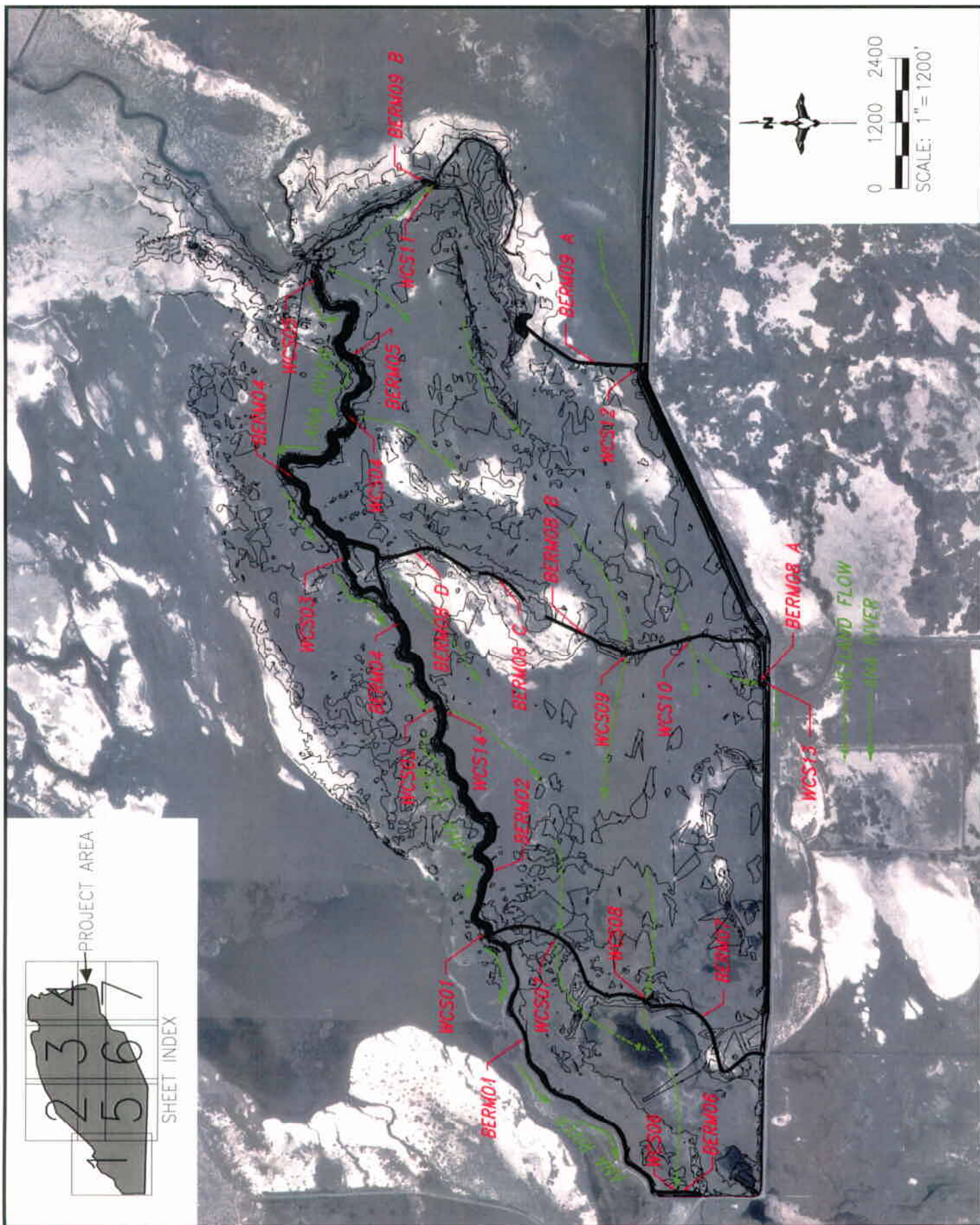
## SUMMER LAKE RESTORATION

DESIGNED BY: JTS

DRAWN BY: DMC

SURVEYED BY: DU

CHECKED BY:



**Section 2**      **WETLAND RESTORATION AND**  
**Attachment A**      **ENHANCEMENT ACTIVITIES**



**Attachment B**  
**Water Control Structure Quantities**

Water Control Structure	Erosion Control Rock (CY)	Structural Fill	
WCS 01	83	232	
WCS 02	83	232	
WCS 03	83	232	
WCS 04	83	232	
WCS 05	83	232	
<b>Total for Diversion Structures (WCS 01 -05)</b>	<b>415</b>	<b>1160</b>	
WCS 06	6	*	Berm 6
WCS 07	6	*	Berm 7
WCS 08	6	*	Berm 7
WCS 09	6	*	Berm 8
WCS 10	6	*	Berm 8
WCS 11	6	*	Berm 9
WCS 12	12	*	Berm 9
WCS 13	6	*	Berm 8
WCS 14	6	*	Berm 2
<b>Total</b>	<b>60</b>	<b>0*</b>	

\* WCS will be installed in Berms 2, 6 - 9;  
Fill quantities included in Berm Totals

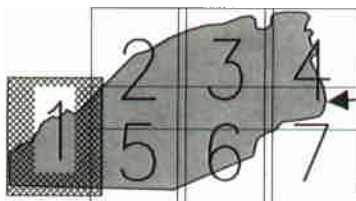
**By Pass Channels**

Water Control Structure	Cut (CY)	Length of Cut (LF)	Average Depth (LF)	TOTAL CUT AREA (SF)
WCS 01	374	198	3	3366
WCS 02	374	198	3	3366
WCS 03	372	197	3	3349
WCS 04	378	200	3	3400
WCS 05	382	202	3	3434
<b>Total</b>	<b>1880</b>		<b>3</b>	<b>16915</b>

0 200 400

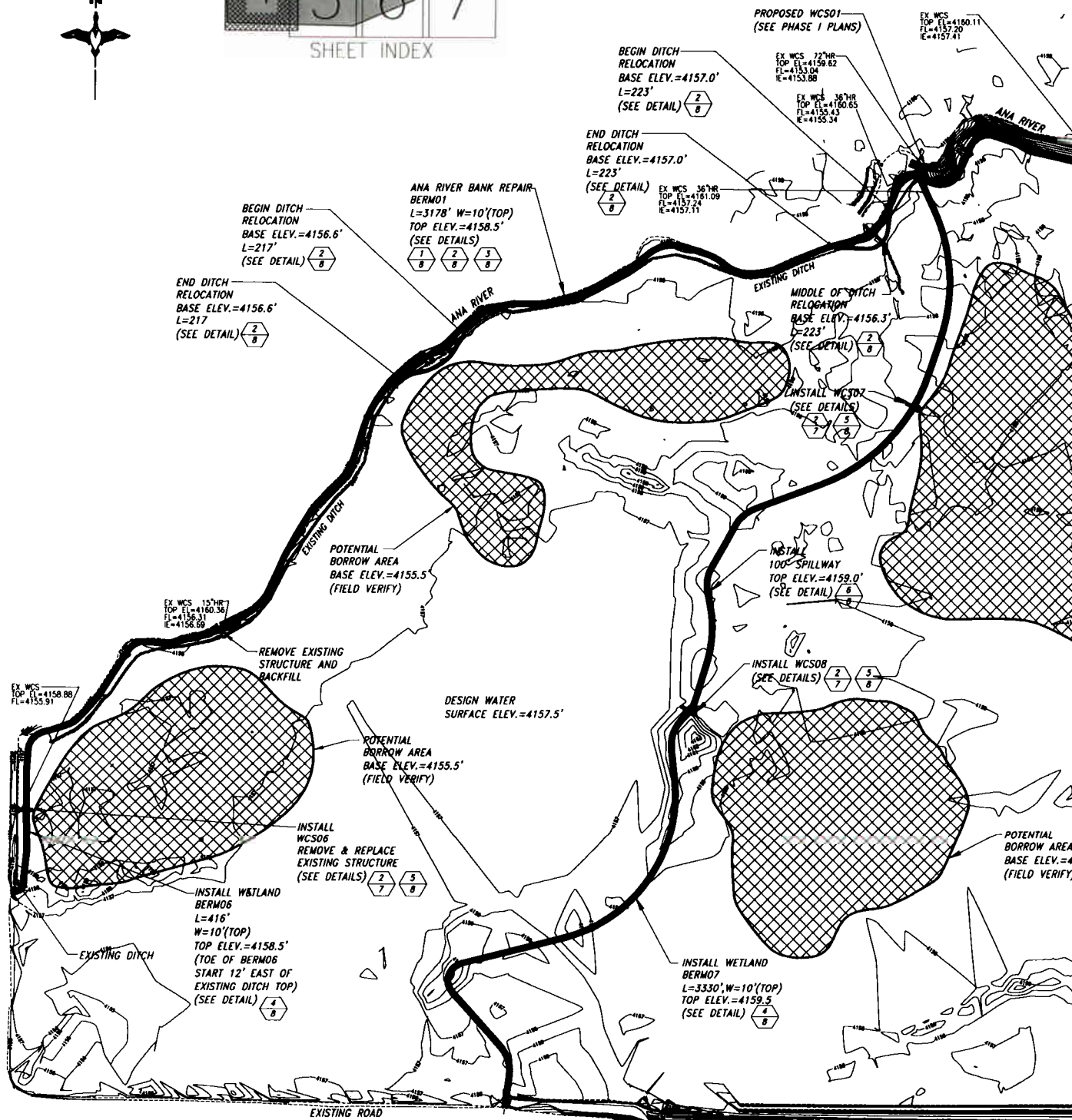


SCALE: 1" = 400'



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PROJECT AREA



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PROJECT NO. US-OR-61-1

## SUMMER LAKE RESTORATION

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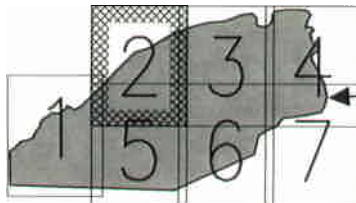
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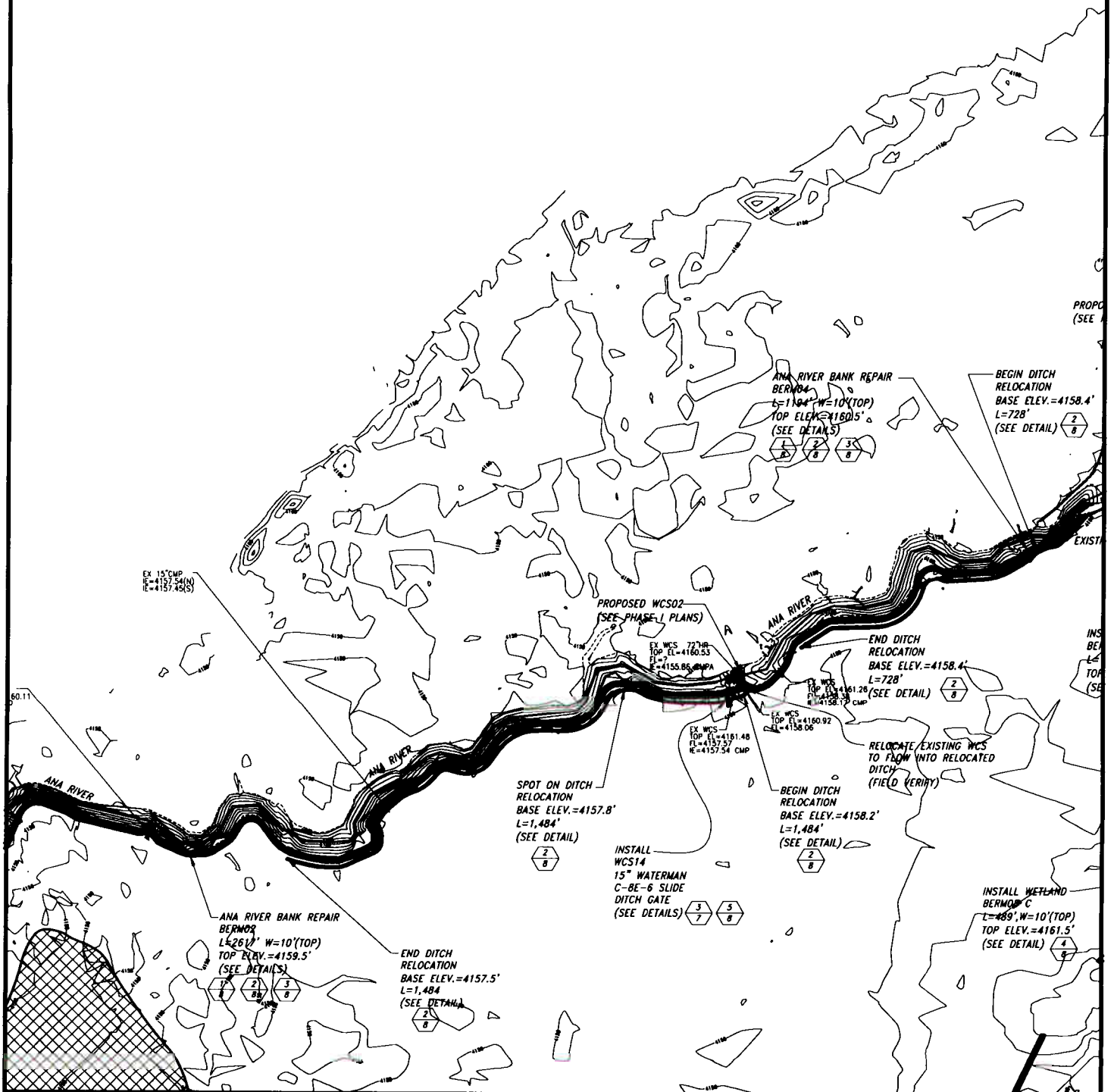
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PROJECT AREA



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DESIGNED BY: JTS

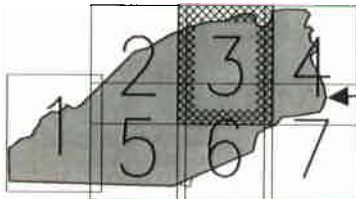
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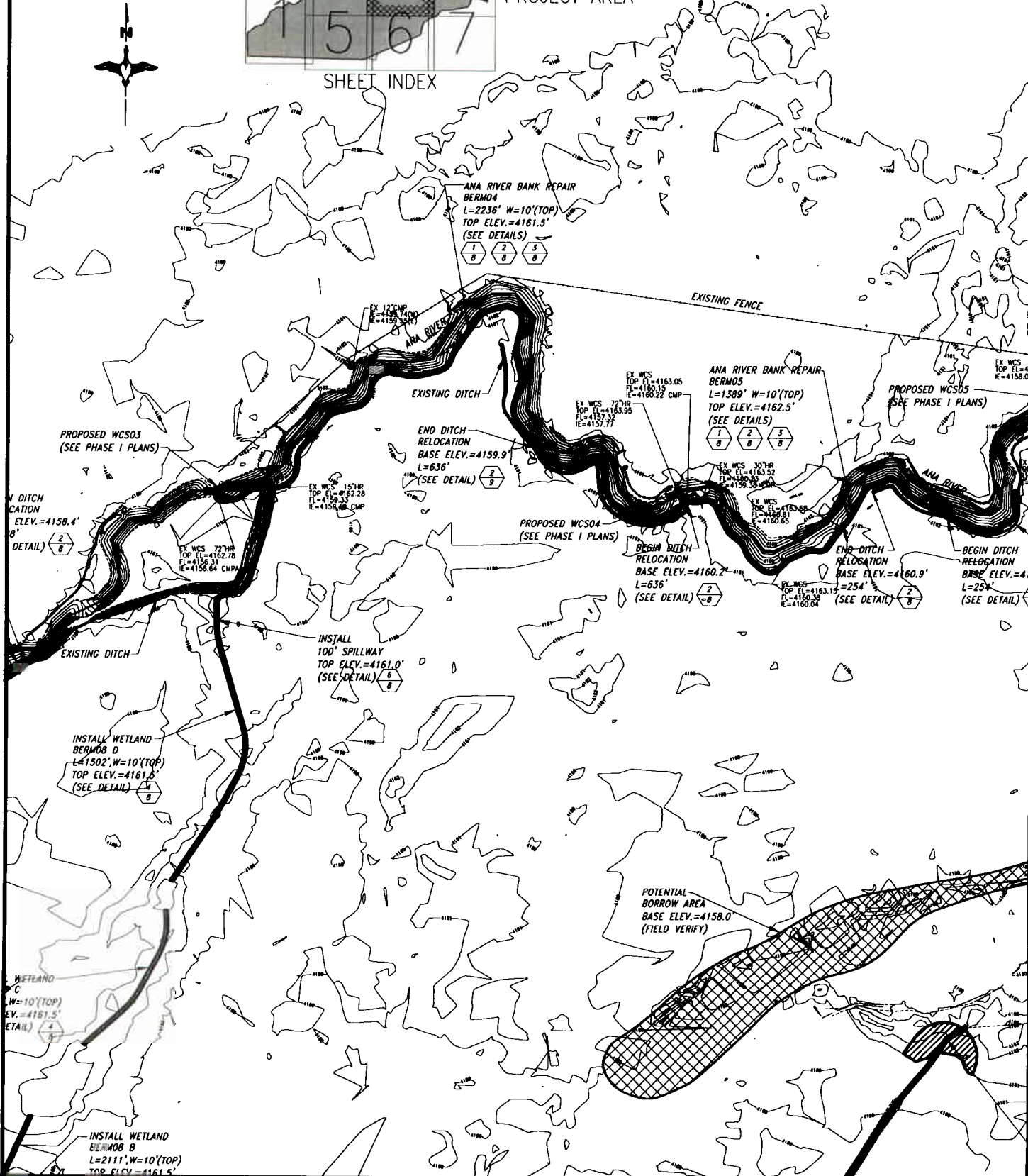
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SCALE: 1"=400'



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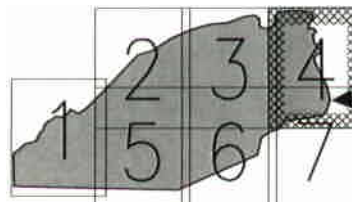
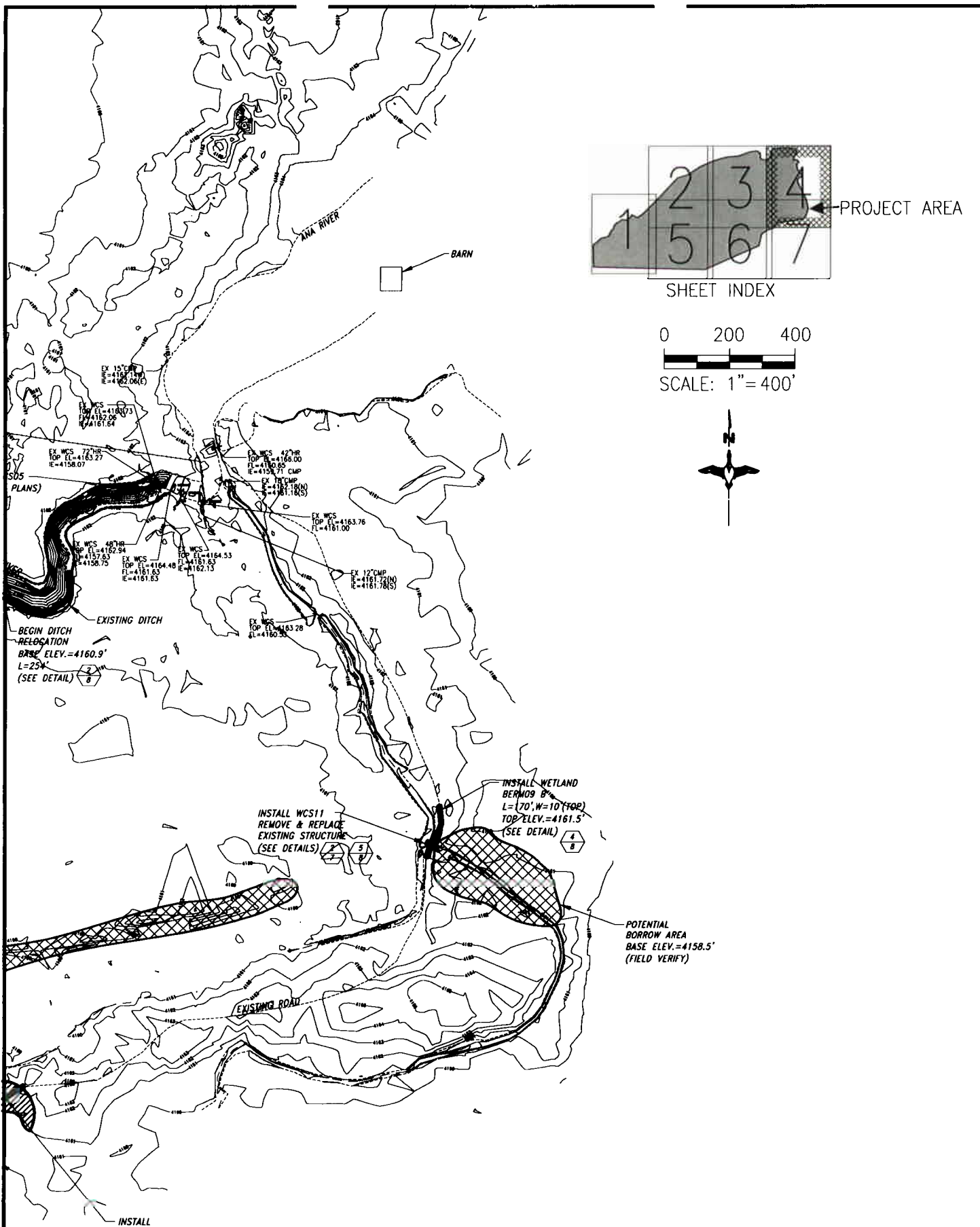
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SCALE: 1" = 400'

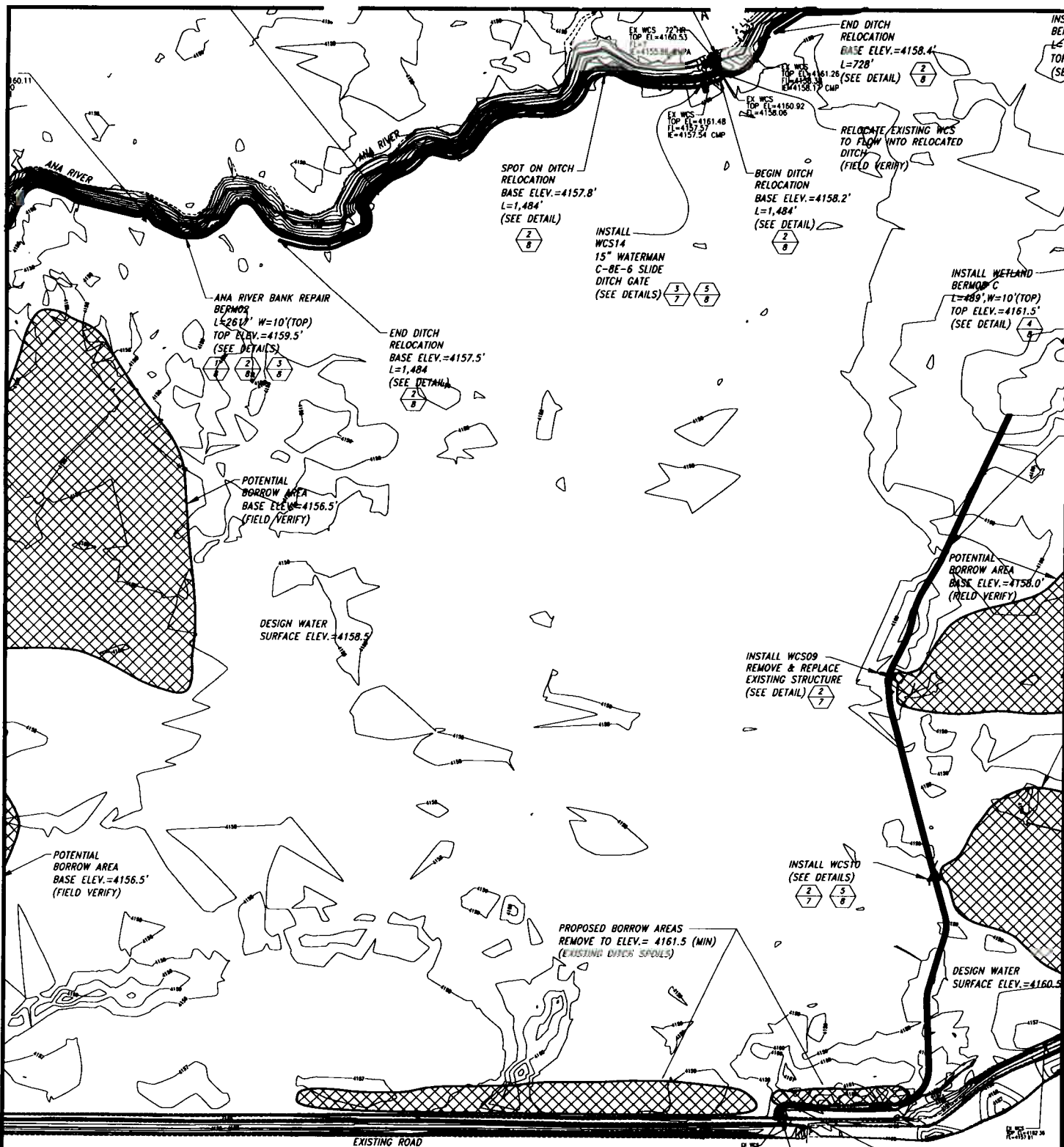


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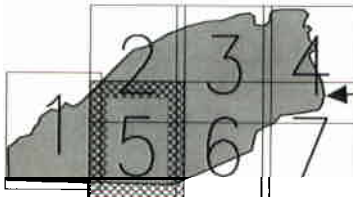
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0 200 400  
SCALE: 1" = 400'



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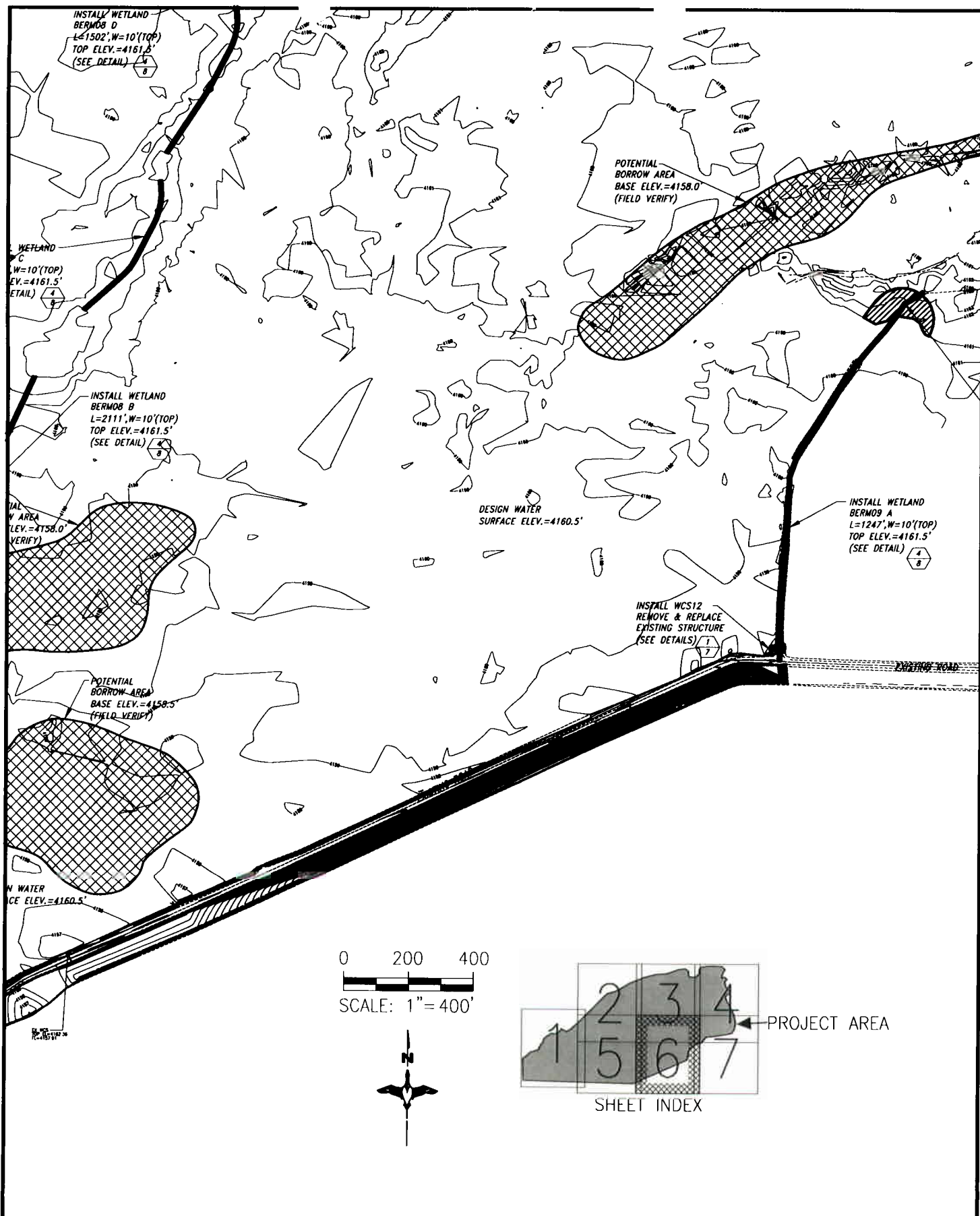
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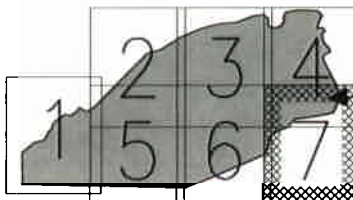
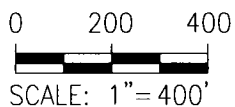
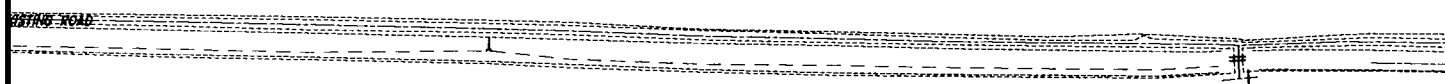
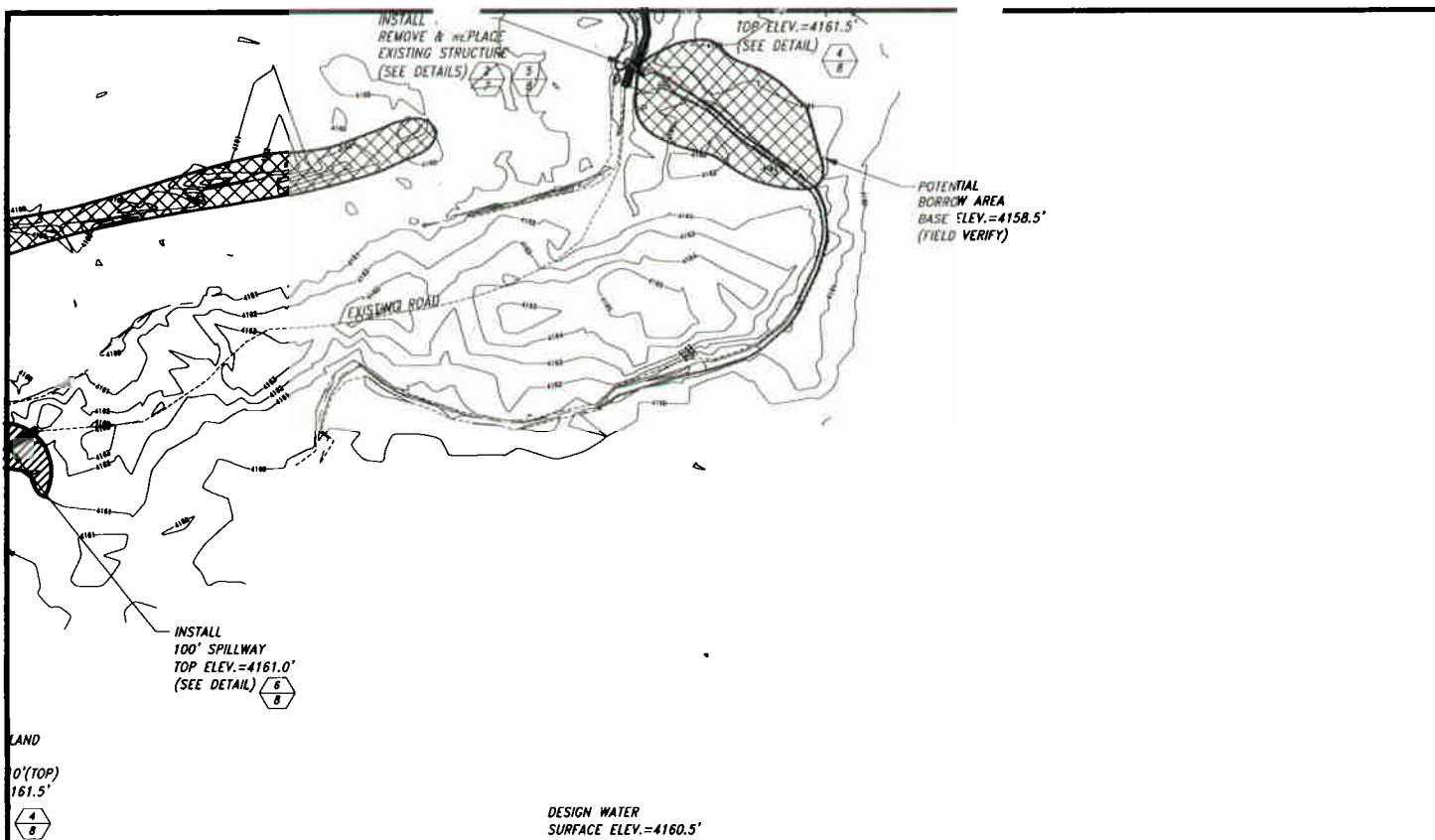
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PROJECT AREA

SHEET INDEX



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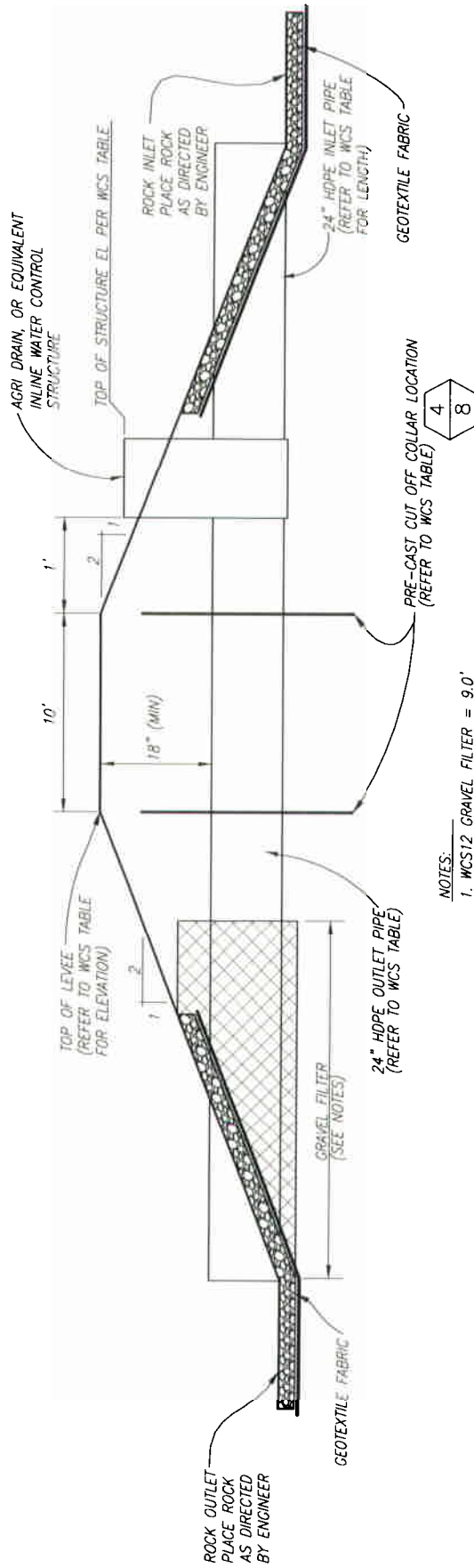
DRAWN BY: DMC

SURVEYED BY: DU

CHECKED BY:







- NOTES:
1. WCS12 GRAVEL FILTER = 9.0'
  2. WCS13 GRAVEL FILTER = 11.0'

1 LEVEE SECTION AT WCS12 & WCS13

NOT TO SCALE



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PROJECT NO. US-OR-61-1

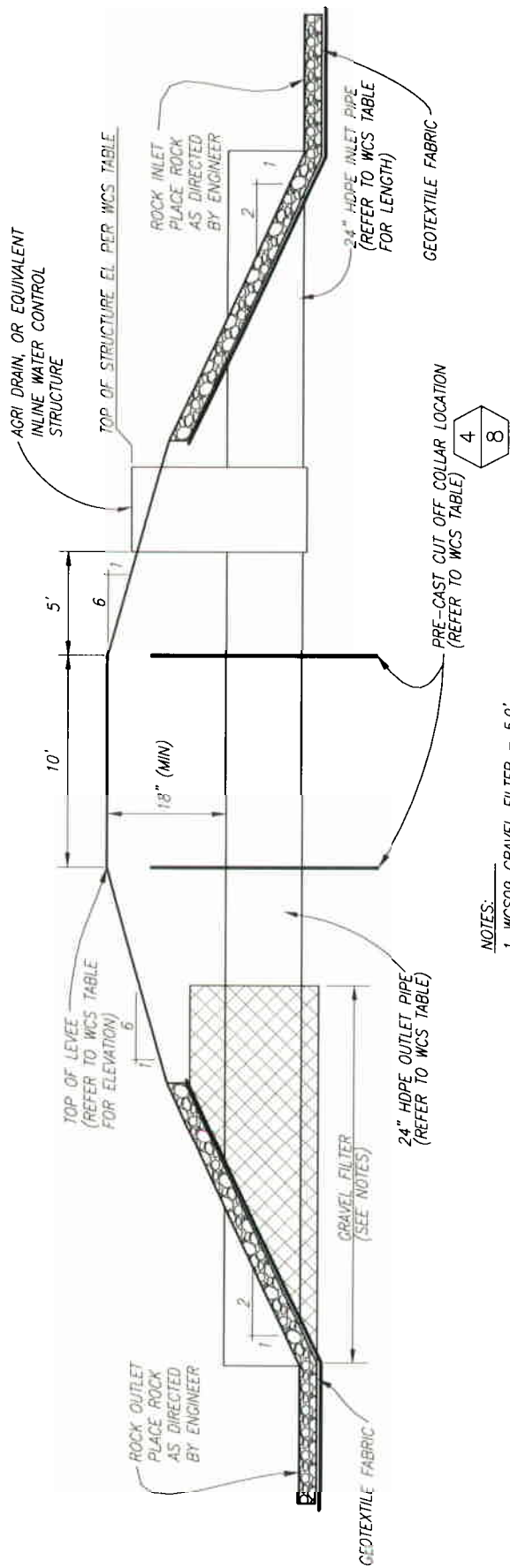
**SUMMER LAKE  
RESTORATION**

DESIGNED BY: JTS

DRAWN BY: DMC

SURVEYED BY: DU

CHECKED BY:



NOTES:  
1. WCS09 GRAVEL FILTER = 5.0'

# LEVEE SECTION AT WCS

NOT TO SCALE



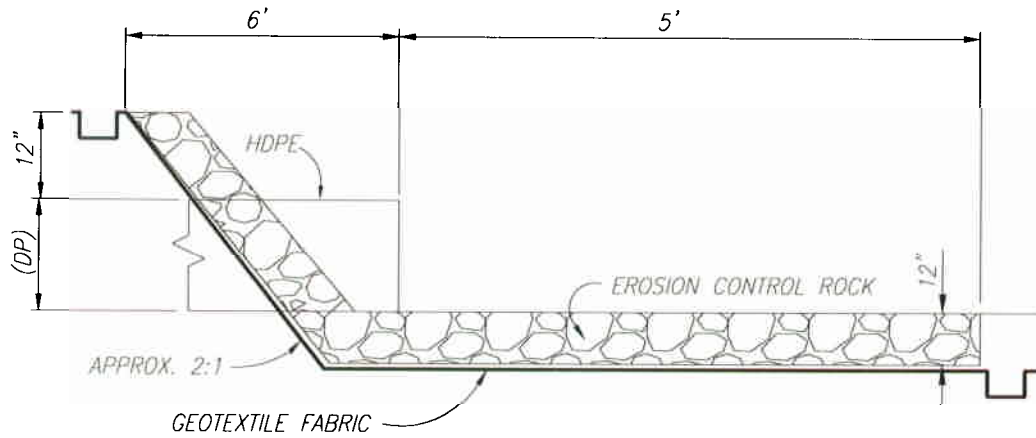
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## SUMMER LAKE RESTORATION

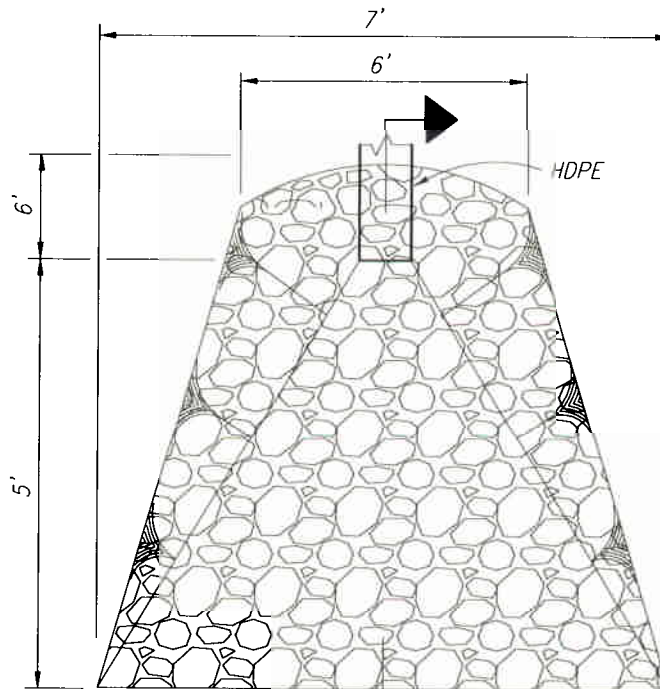
DESIGNED BY:	JTS
DRAWN BY:	DMC
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### SECTION

#### NOTES:

SEE WATER CONTROL STRUCTURE TABLE FOR QUANTITY  
OF ROCK AND FABRIC AT EACH STRUCTURE  
SEE SPECIFICATIONS FOR ROCK SIZE



### PLAN



### CULVERT INLET/ OUTLET PROTECTION

NOT TO SCALE



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**SUMMER LAKE  
RESTORATION**

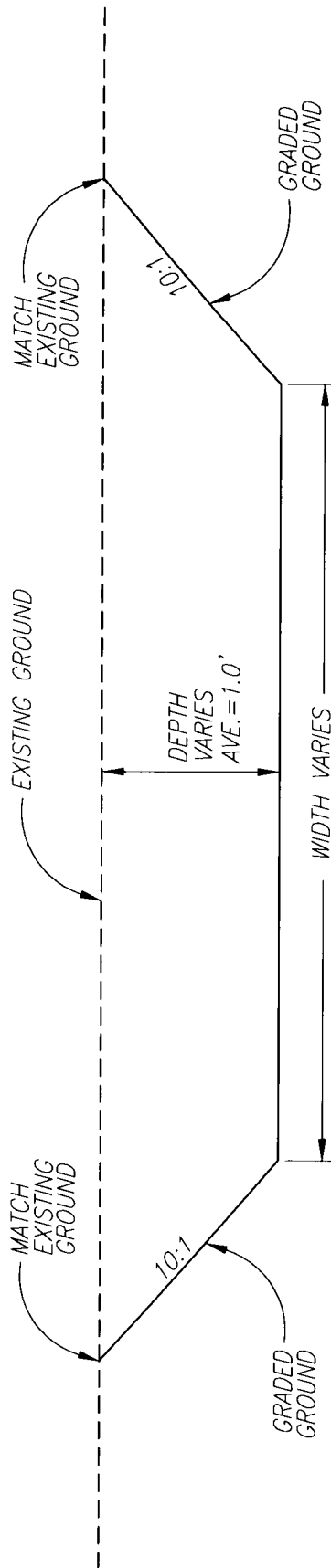
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DRAWN BY: DMC

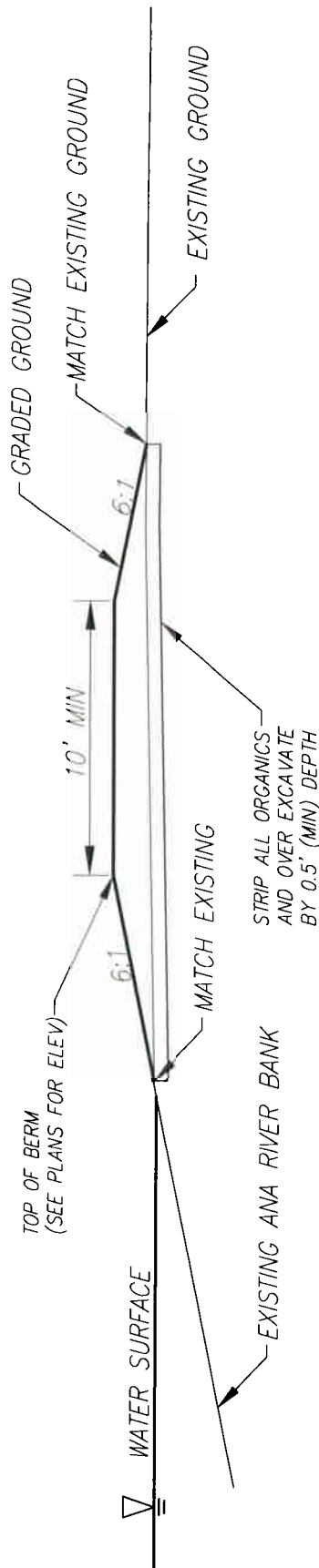
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9 7 BORROW AREA SECTION  
NOT TO SCALE



1 ANA RIVER BANK REPAIR  
8 TYPICAL CROSS SECTION  
NOT TO SCALE



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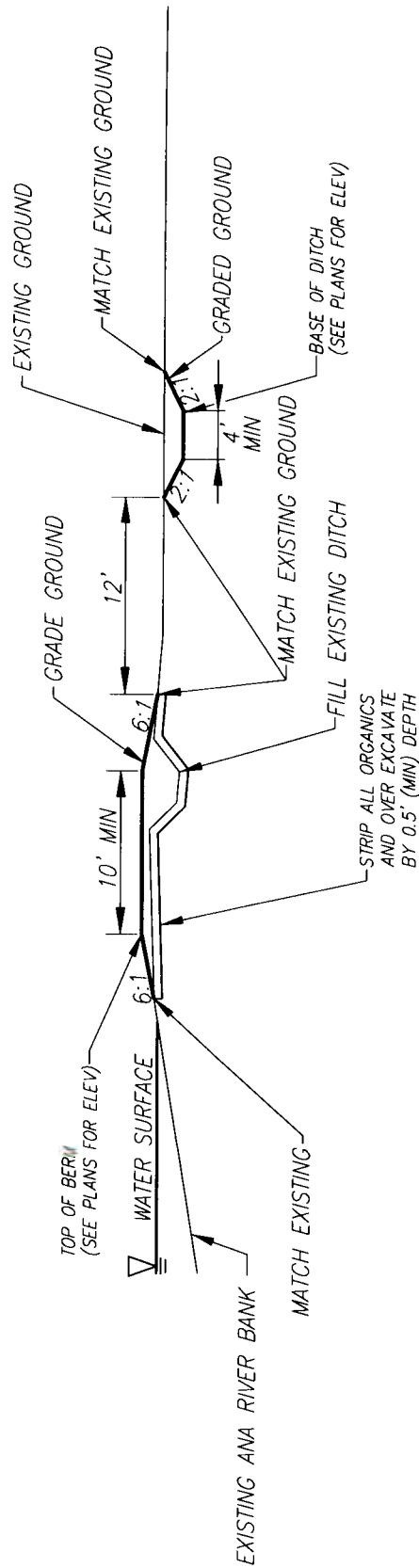
**SUMMER LAKE  
RESTORATION**

DESIGNED BY: JTS

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ANA RIVER BANK REPAIR  
WITH DITCH RELOCATION  
TYPICAL CROSS SECTION  
2 8  
NOT TO SCALE



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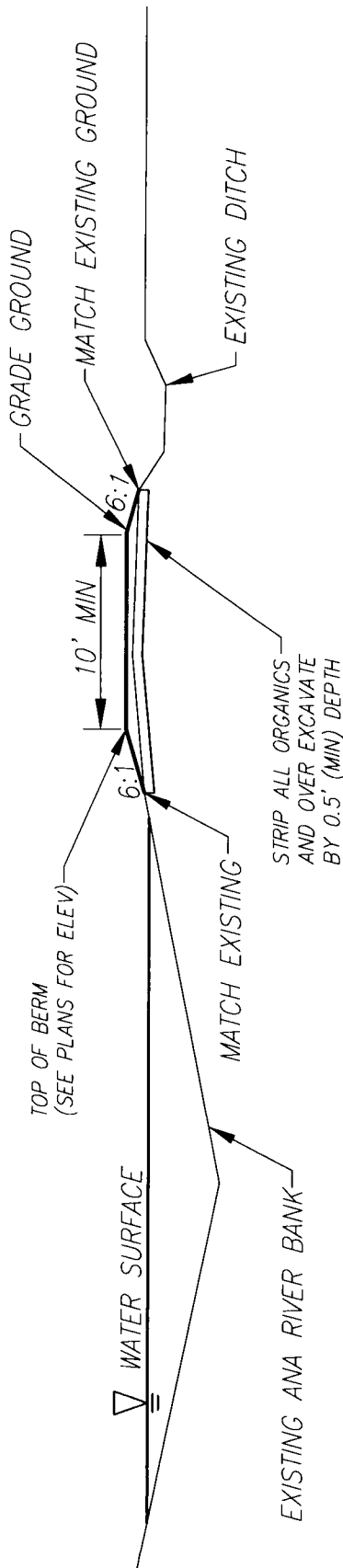
SUMMER LAKE  
RESTORATION

DESIGNED BY: JTS

DRAWN BY: DMC

SURVEYED BY: DU

CHECKED BY:



ANA RIVER BANK REPAIR  
 WITHOUT DITCH RELOCATION  
 TYPICAL CROSS SECTION  
 NOT TO SCALE



**DUCKS  
UNLIMITED  
INC.**

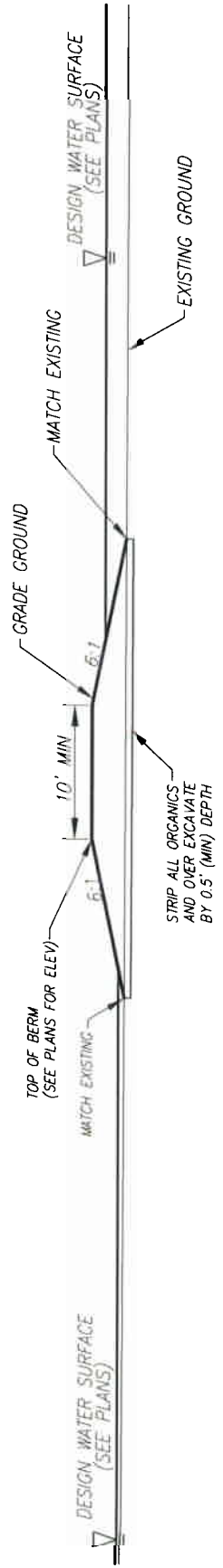
PacNW Field Office (360)885-2011

PROJECT NO. US-OR-61-1

**SUMMER LAKE  
RESTORATION**

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4 WETLAND CROSS BERM  
8 TYPICAL CROSS SECTION  
NOT TO SCALE



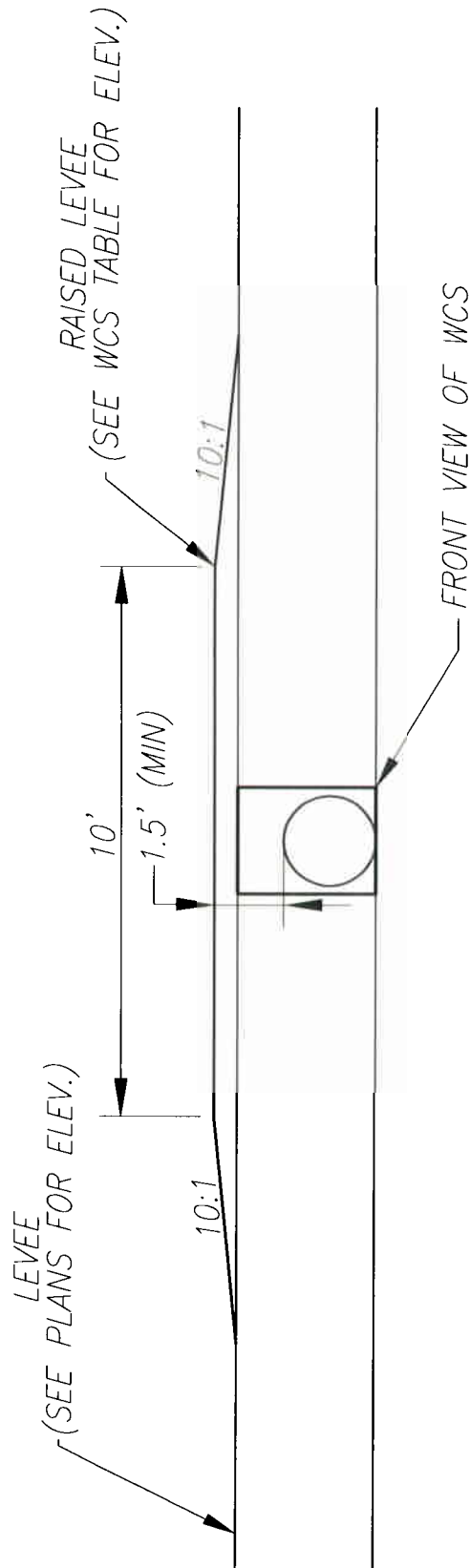
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PROJECT NO. US-OR-61-1

SUMMER LAKE  
RESTORATION

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SURVEYED BY:	DU
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5 RAISED LEVEE AT WCS  
8  
NOT TO SCALE



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PROJECT NO. US-OR-61-1

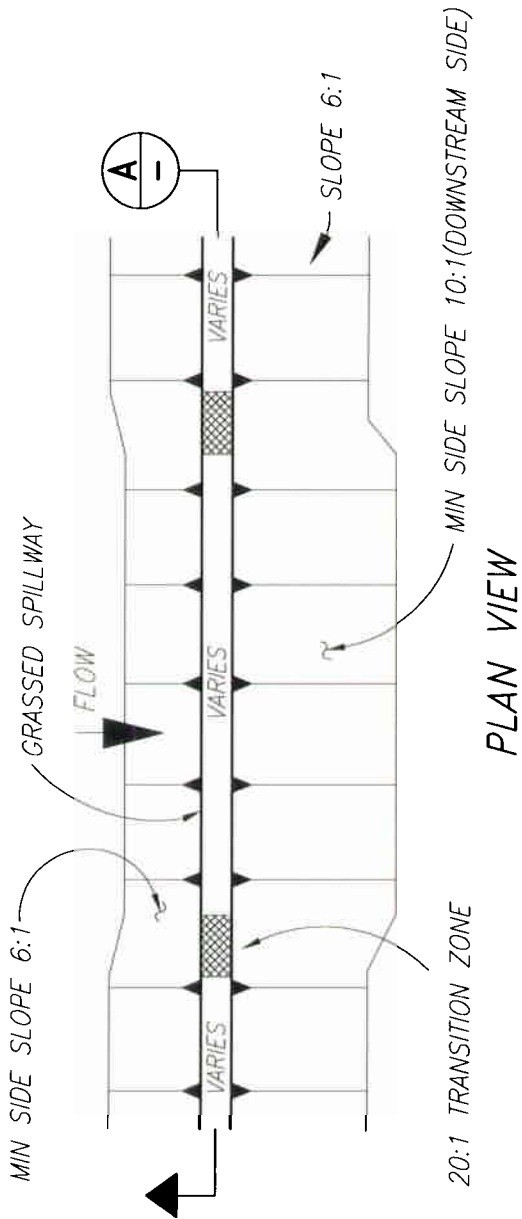
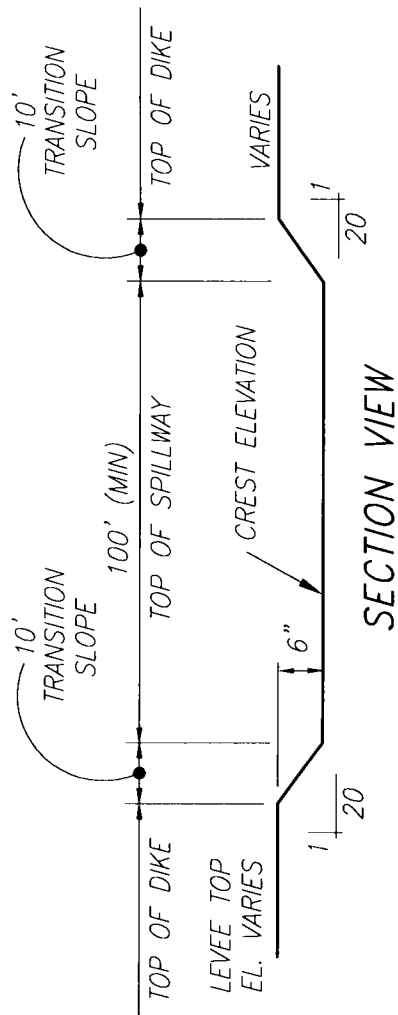
**SUMMER LAKE  
RESTORATION**

DESIGNED BY: JTS

DRAWN BY: DMC

SURVEYED BY: DU

CHECKED BY:



6 TYPICAL SPILLWAY 8

NOT TO SCALE



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PacNW Field Office (360)885-2011

PROJECT NO. US-OR-61-1

SUMMER LAKE  
RESTORATION

DESIGNED BY: JTS

DRAWN BY: DMC

SURVEYED BY: DU

CHECKED BY: